

**FARAD CONTINUATION SHEET.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.**

CIVIL APPLICATION No. 2960 OF 2006.

IN

WRIT PETITION No. 6513 OF 2006.

Office Notes,Office	:	Court or Judge's Order.
Memorandum of Coram	:	
apperance,Court's	:	
Orders & Directions	:	
and Registrar's	:	
Order.	:	

Mr. S. G. Page, Advocate with Mr. S.R.
Page, Advocate for the Applicant.

Mr. A. R. Pande, Advocate for the
Respondents.

CORAM:R.M.S.KHANDEPARKAR,J.

DATED:11TH DECEMBER,2006.

1. Not on board. On request taken
on board.

2. The respondents have filed
affidavit stating that they have removed
fencing which was erected around the
plot in question. He has sought to
dispute the contention on behalf of the
applicant that the fencing was erected
recently and after the order of the
Court. It is however, not necessary to

go into that controversy. Suffice to observe that in view of the removal of the fencing there would be no obstruction for the smooth movement of the traffic approaching the petrol pump and, therefore, there would be no occasion for non-compliance of the order passed by this Court. Viewed from this angle, I do not find any justification to pursue the matter any further in this application. Suffice to observe that as regards the boards which have been stated to be erected by the respondents, the same cannot be said to decide the rights of the parties and same will have to be decided in the main petition itself. With this observation the application is disposed of. Notice discharged.

[R.M.S.KHANDEPARKAR,J.]